

IN THE DRAWINGS:

The drawings were objected to for failing to comply with 37 CFR 1.84(p)(5) since Figs. 10-55 are not mentioned in the description. Corrected drawing sheets are submitted with this amendment including marked up copies of Figs. 10-55 indicating that these figures have been canceled.

REMARKS / ARGUMENTS

Claims 39-44 are pending in this application. Claims 45-50 have been canceled.

The drawings were objected to and corrected drawings are submitted herewith.

Claims 39-50 were rejected on the ground of nonstatutory obviousness type double patenting over claims 1, 2, 9-13, 17, 18, 23 and 24 of U.S. Patent No. 6,663,650. Claims 39-44 were also rejected on the ground of nonstatutory obviousness type double patenting over claims 1-6 of U.S. Patent No. 6,824,545. Claims 39-44 were rejected on the ground of nonstatutory obviousness type double patenting over claims 1-6 of U.S. Patent No. 6,730,104. Applicant shall address these nonstatutory rejections upon allowance of at least one claim in the present application.

Claims 39-50 were rejected as being anticipated by U.S. Patent No. 5,749,894 (“Engelson”). Claims 39-50 were rejected as being anticipated by U.S. Patent No. 5,700,258 (“Mirigian”). Claims 39-50 were rejected as being anticipated by U.S. Patent No. 5,853,418 (“Ken”). Claims 39-50 were also rejected as being anticipated by U.S. Patent No. 5,304,194 (“Chee”).

Discussion

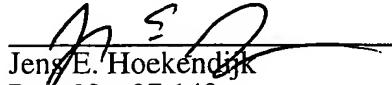
Applicant submits that independent claims 39 is allowable over the cited art since the cited art (Engelson, Mirigian, Ken and Chee) are directed to devices and methods for implanting a device into the body (such as within an aneurysm) rather than removing an obstruction. As such, none of the cited references disclose or suggest “engaging an obstruction” with an obstruction engaging element and “removing the element thereby removing the obstruction” as claimed.

Dependent claims 40-44 are allowable since they depend from allowable independent claim 39 and because they recite independently patentable features.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-412-3322.

Respectfully submitted,

September 11, 2006
Date


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ANNOTATED SHEET

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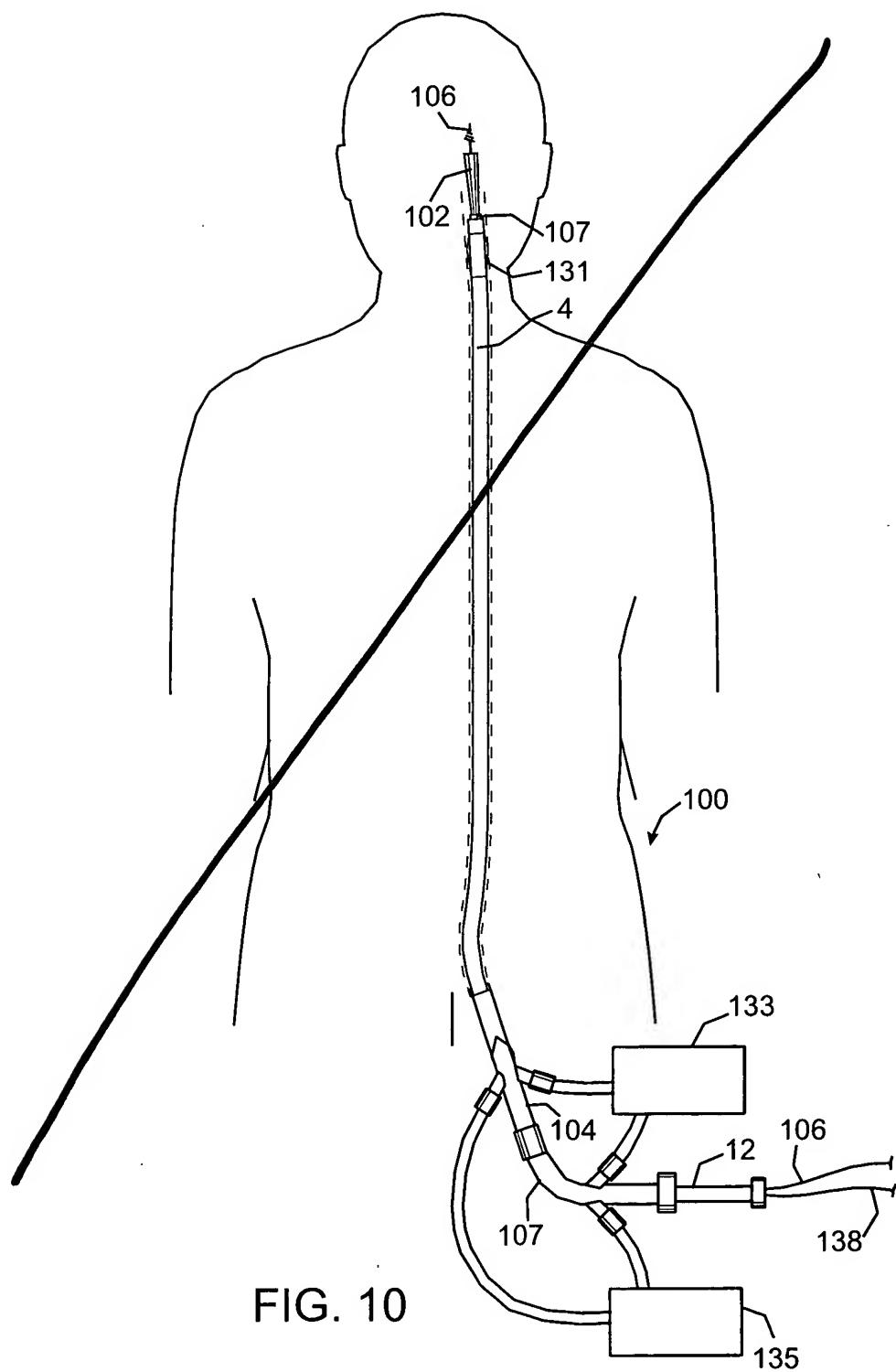


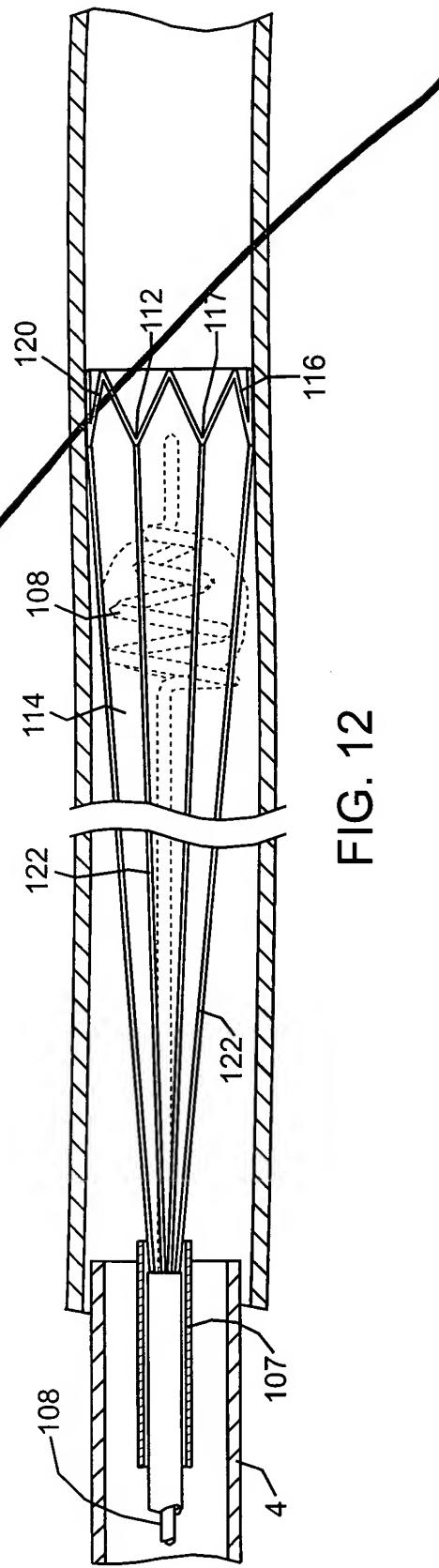
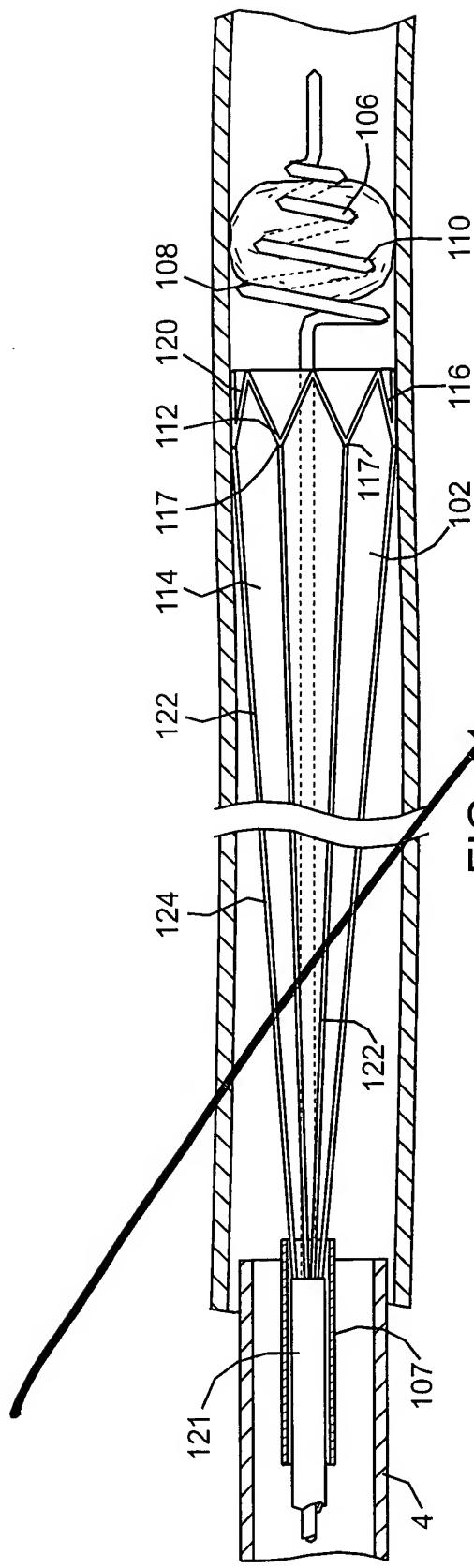
FIG. 10

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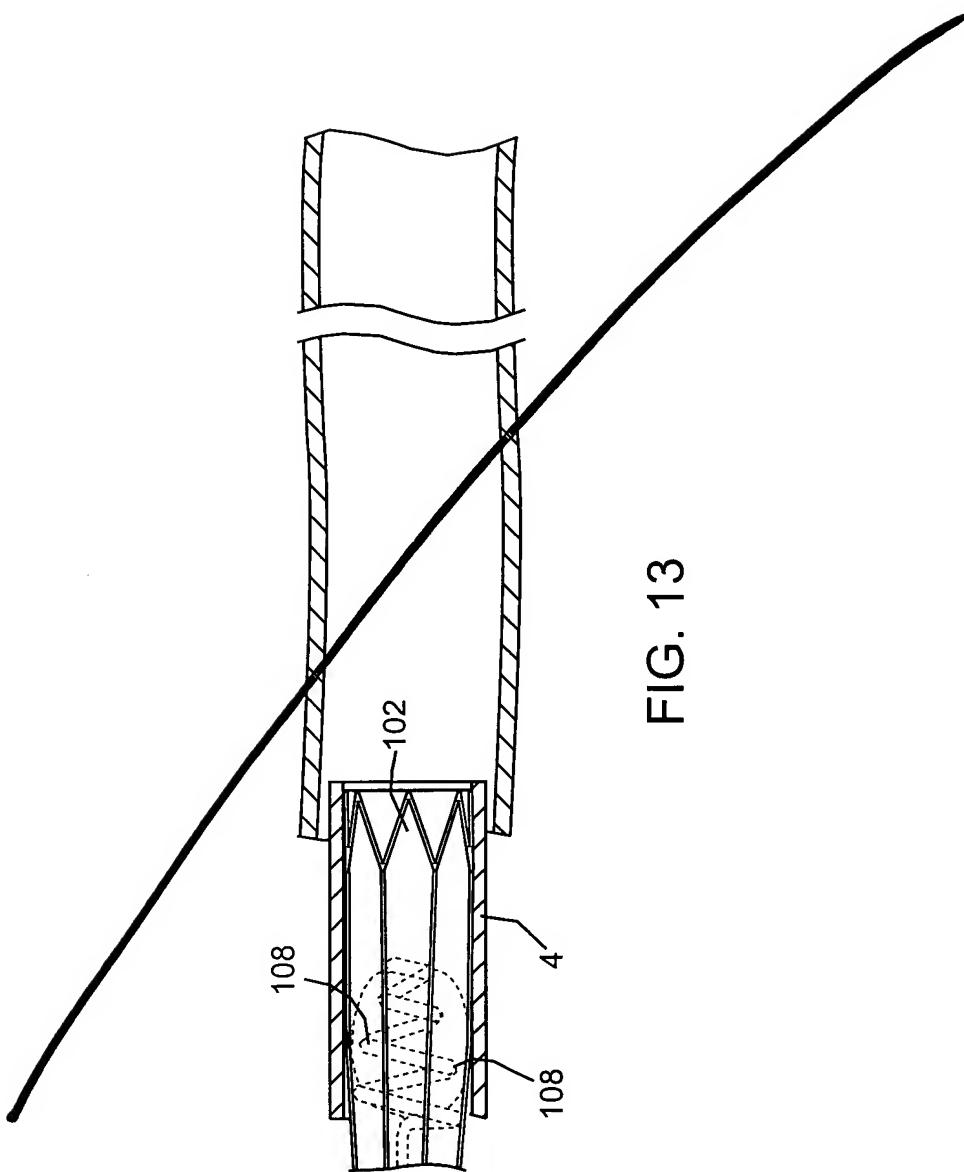


FIG. 13

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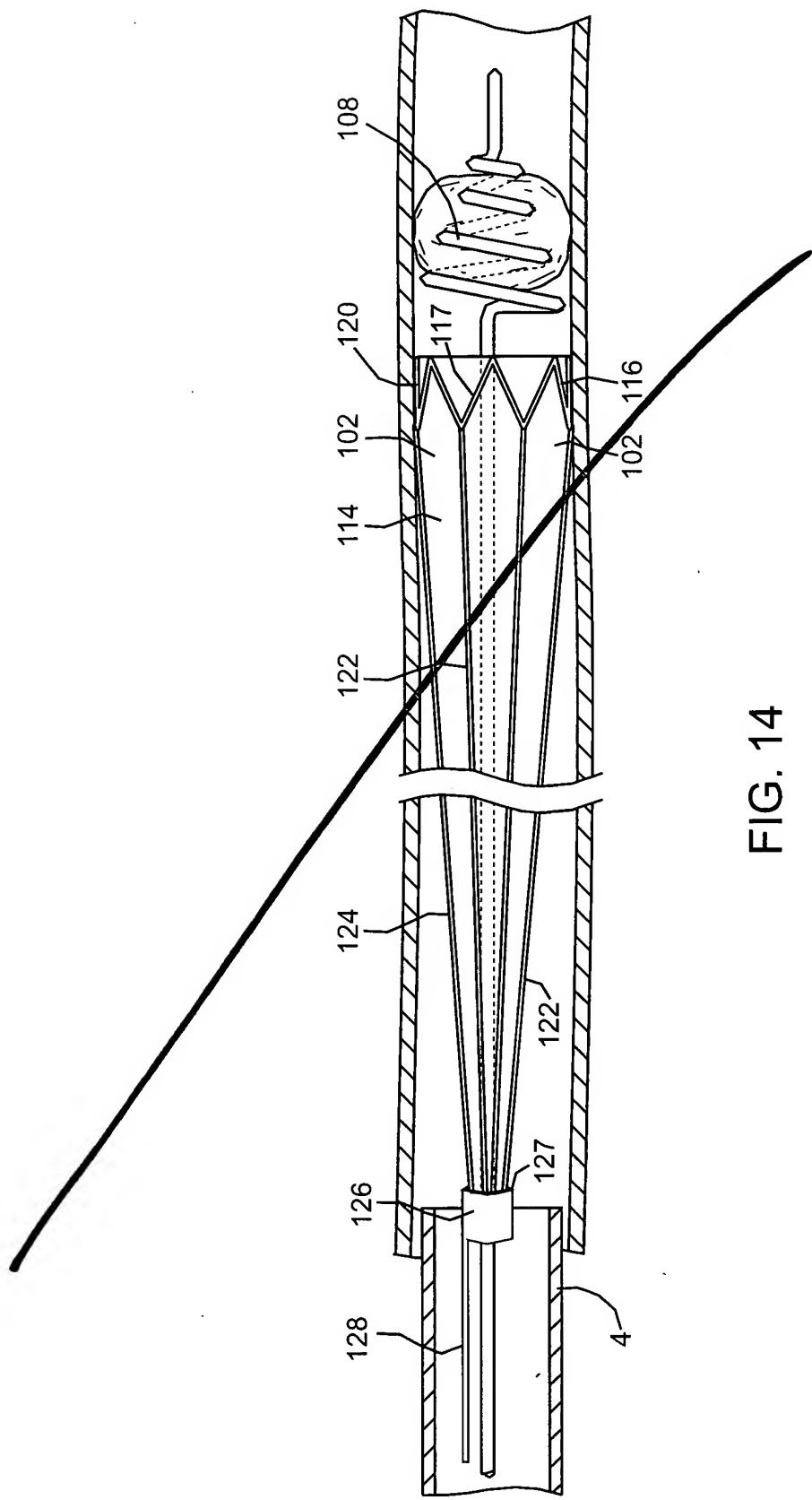


FIG. 14

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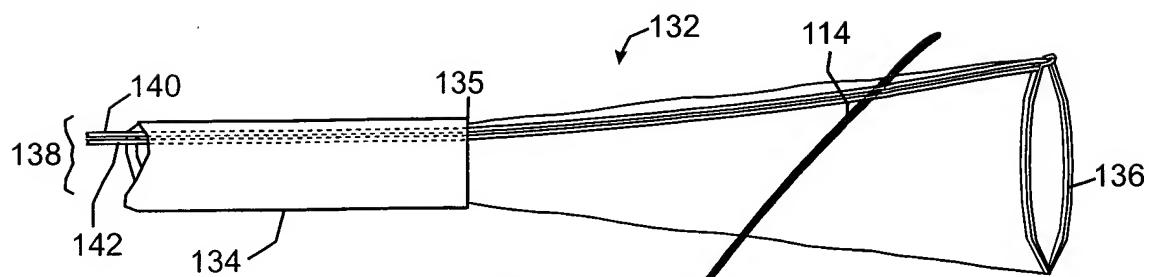


FIG. 15

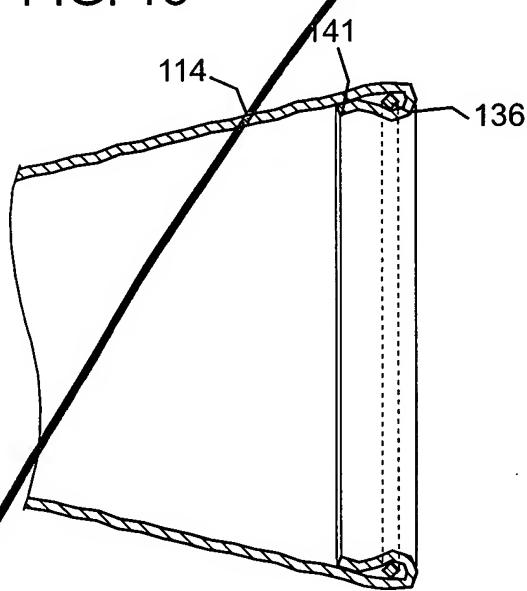


FIG. 16

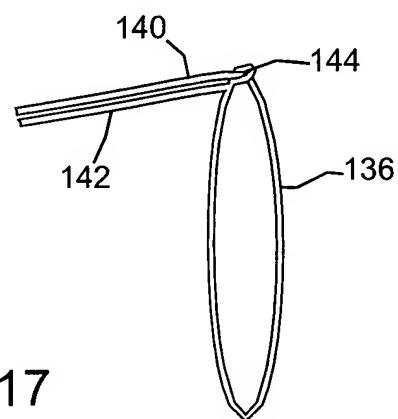


FIG. 17

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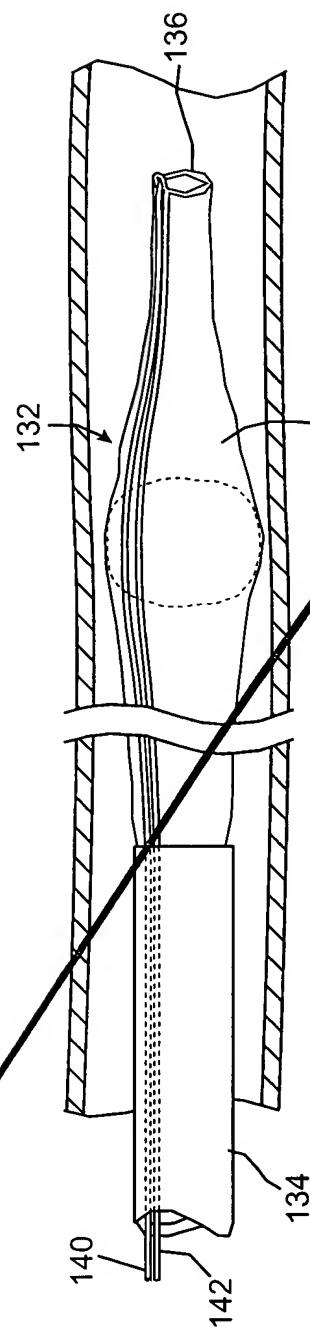


FIG. 18

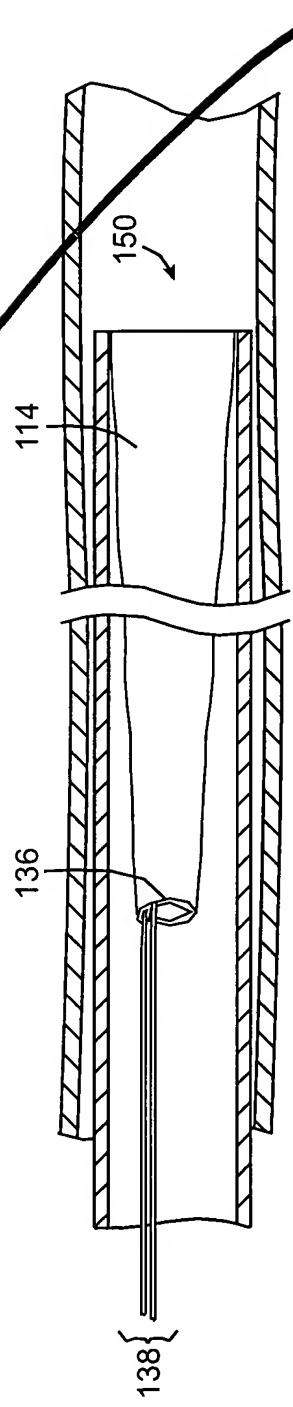


FIG. 19

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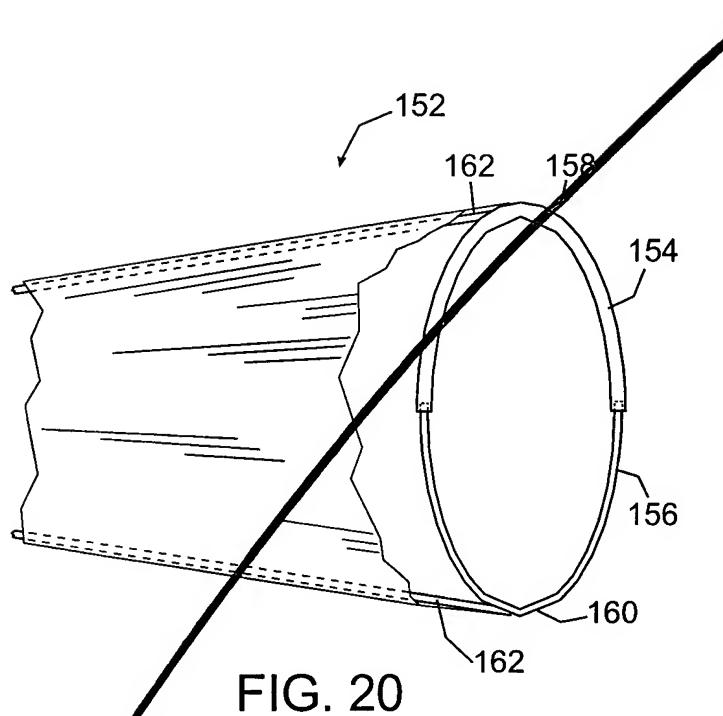


FIG. 20

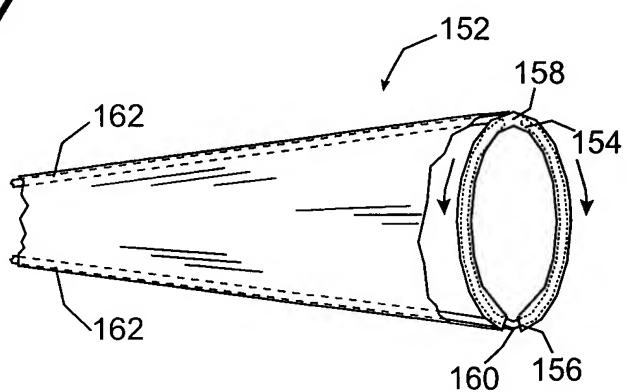


FIG. 21

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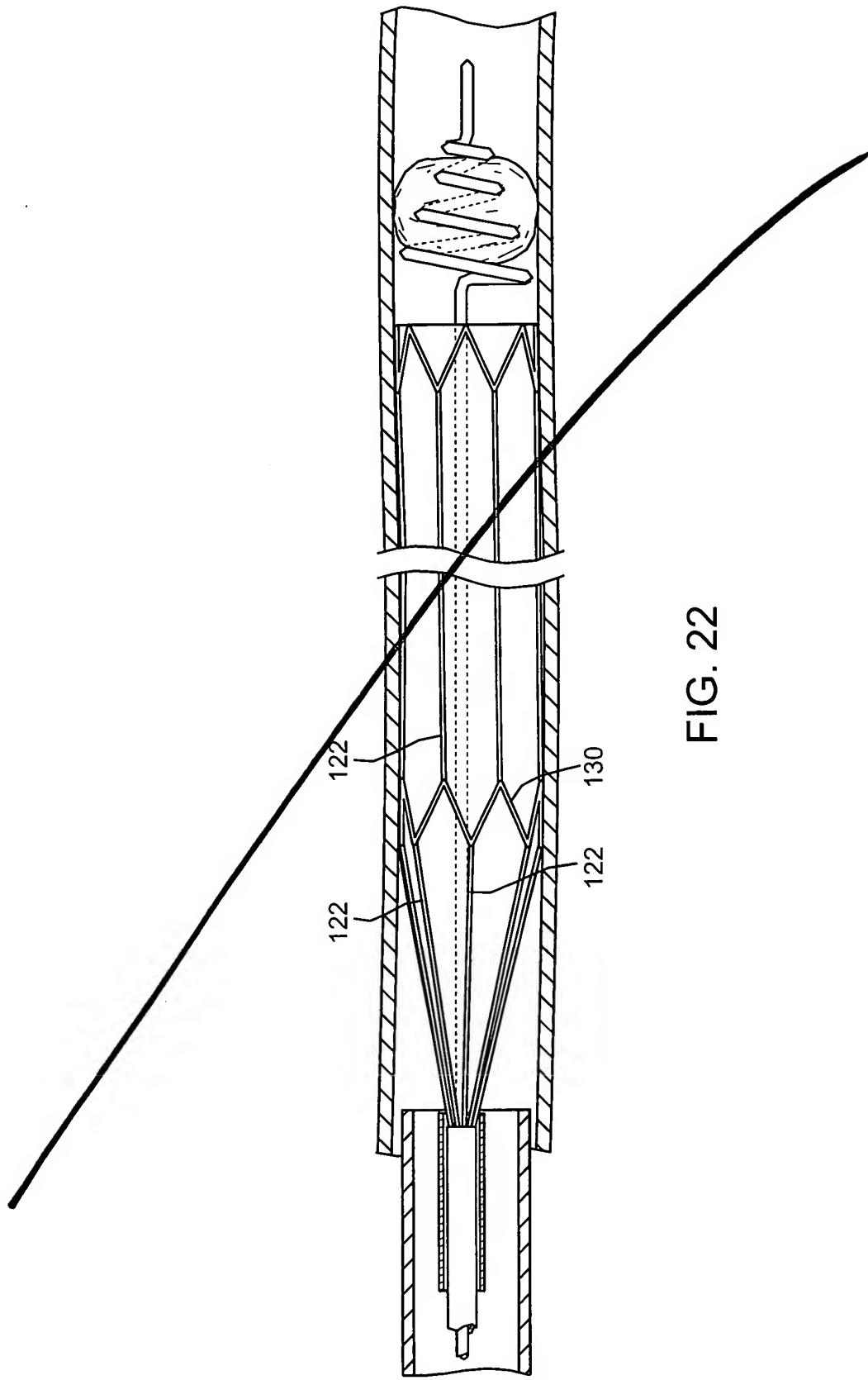
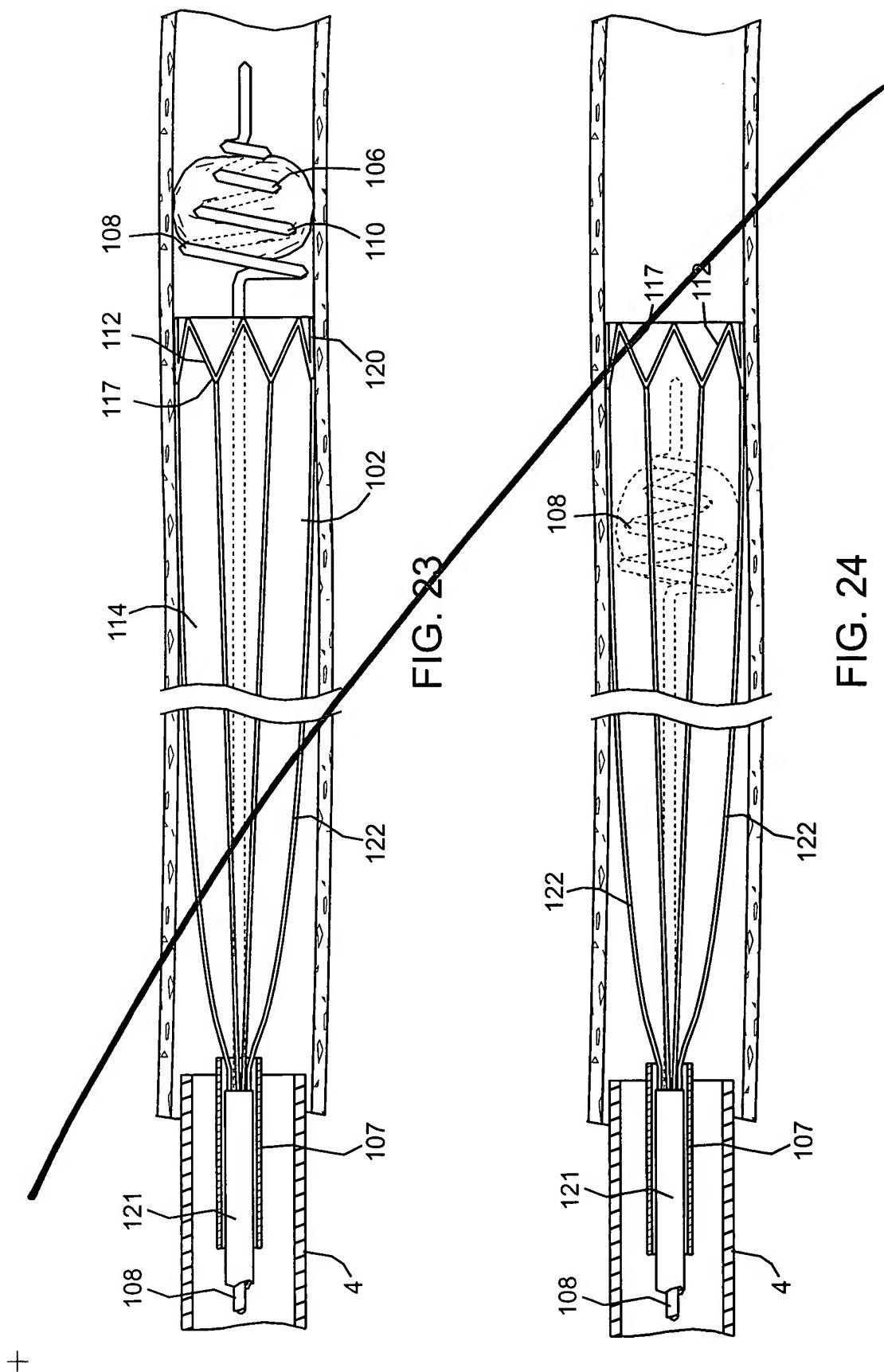


FIG. 22

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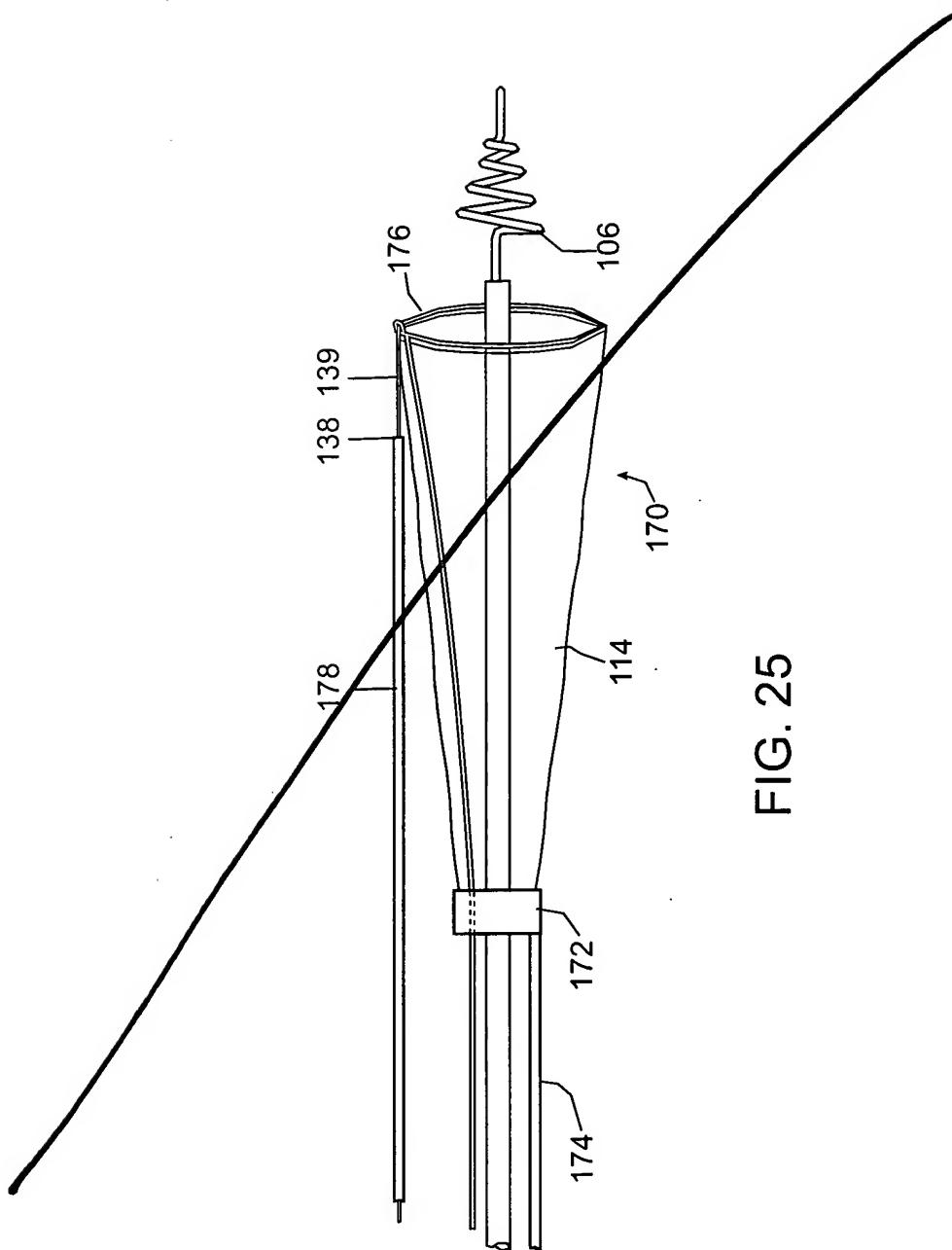


FIG. 25

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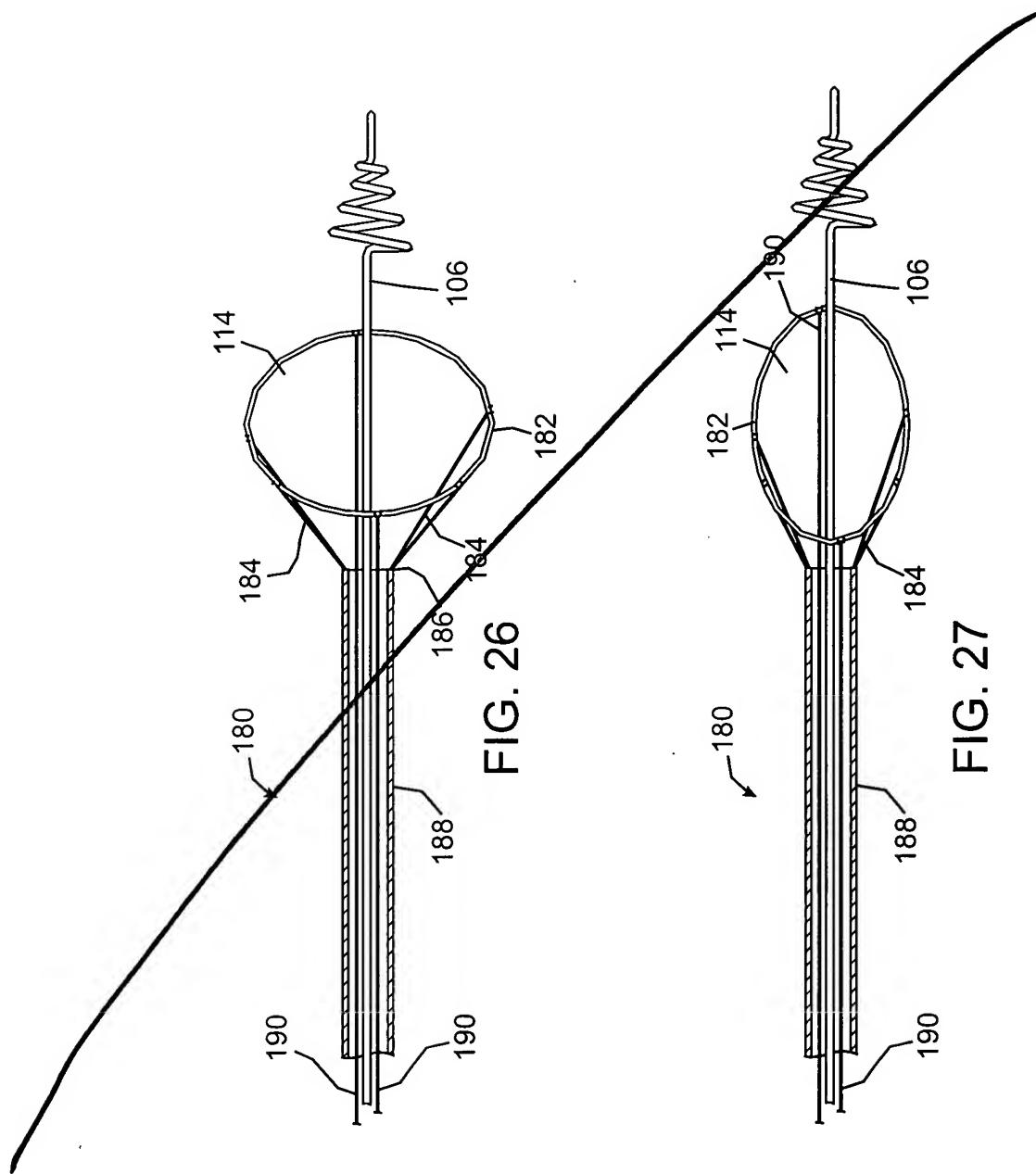


FIG. 27

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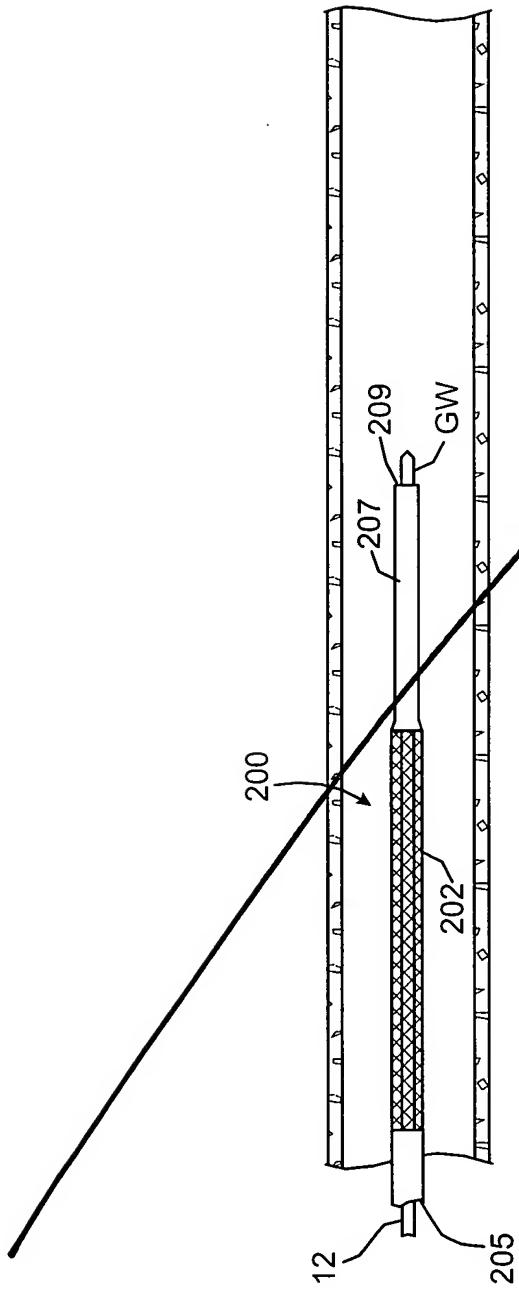


FIG. 28

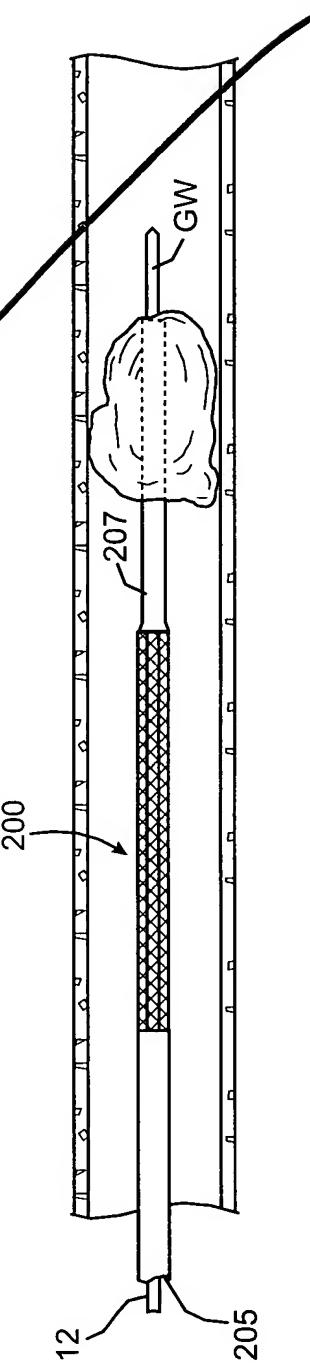


FIG. 29

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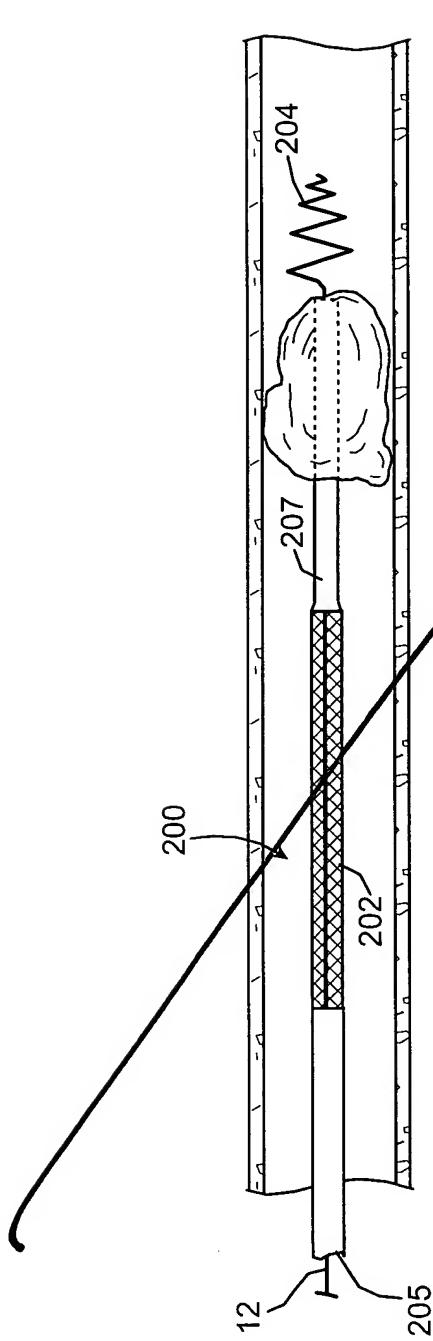


FIG. 30

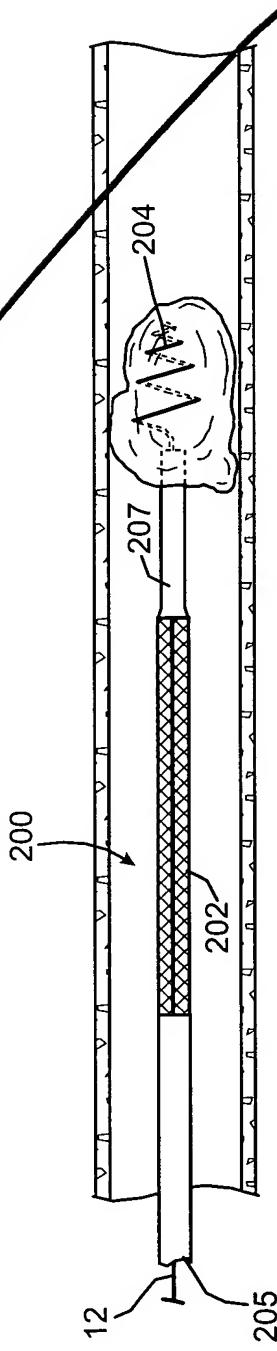


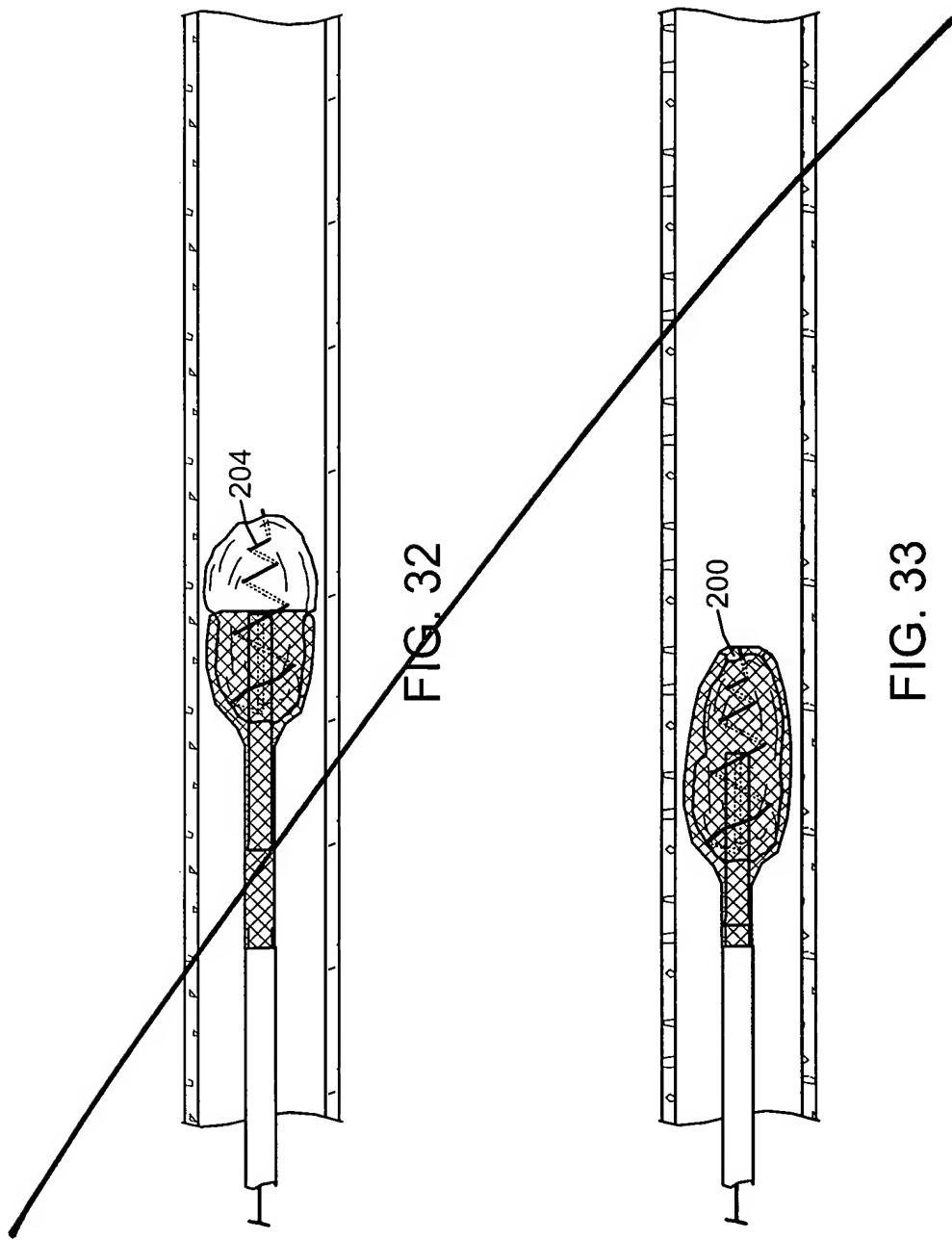
FIG. 31

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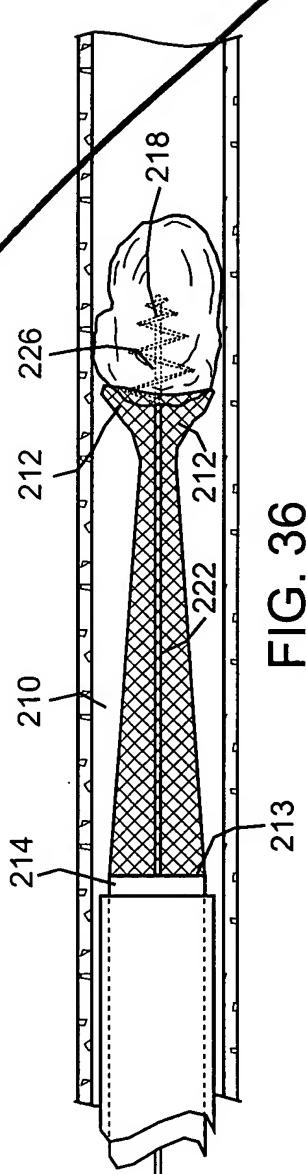
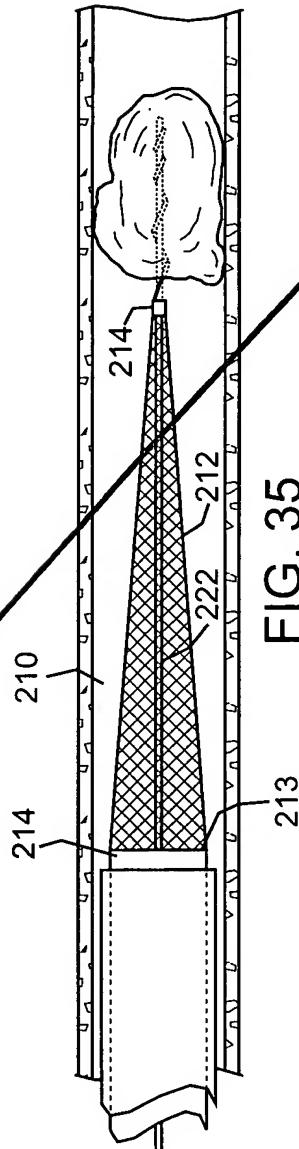
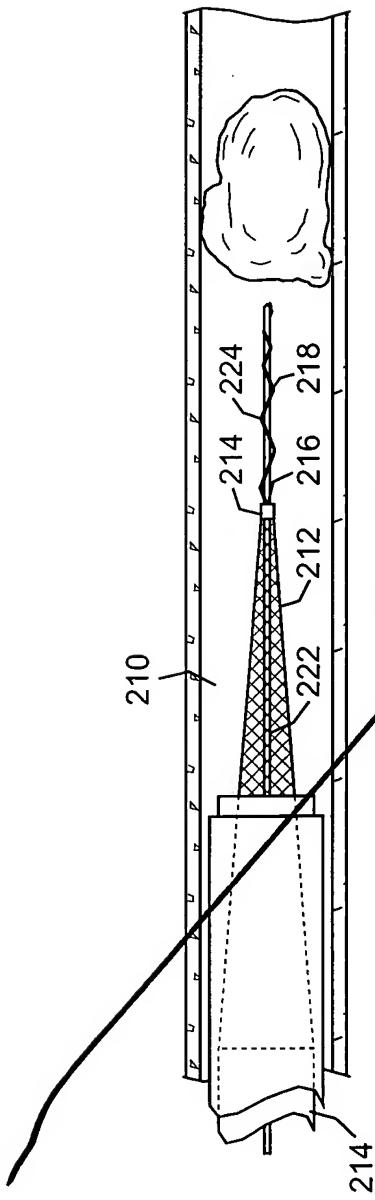
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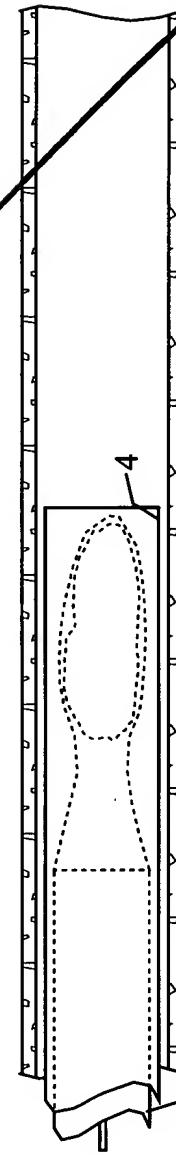
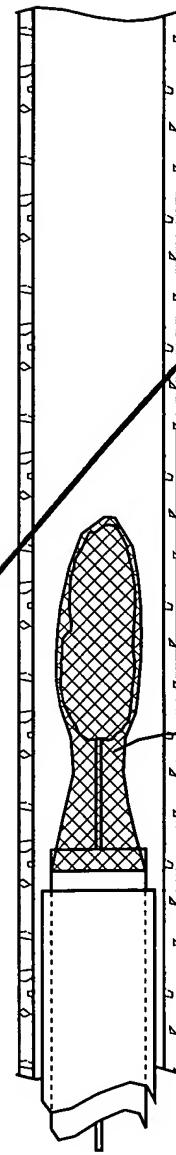
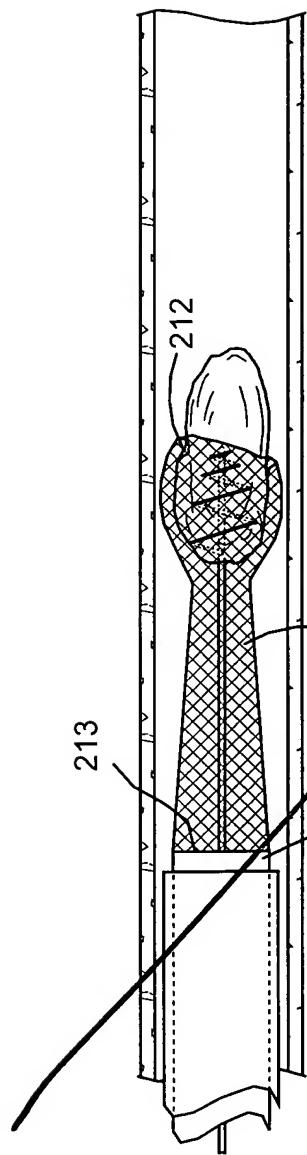


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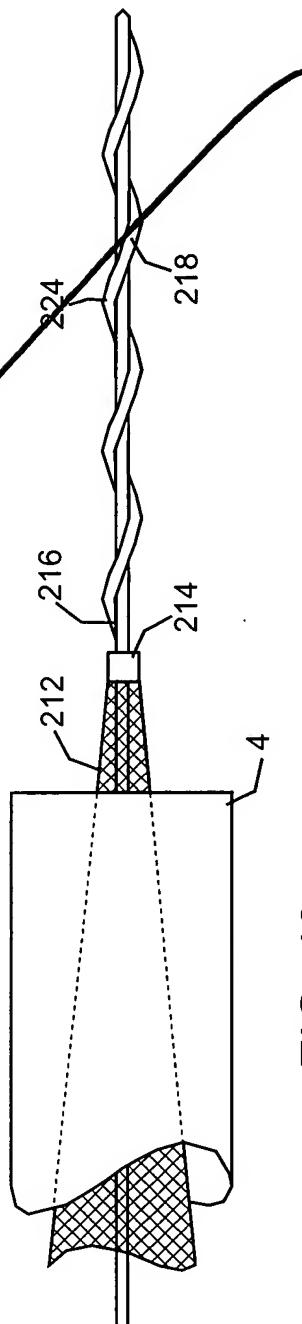
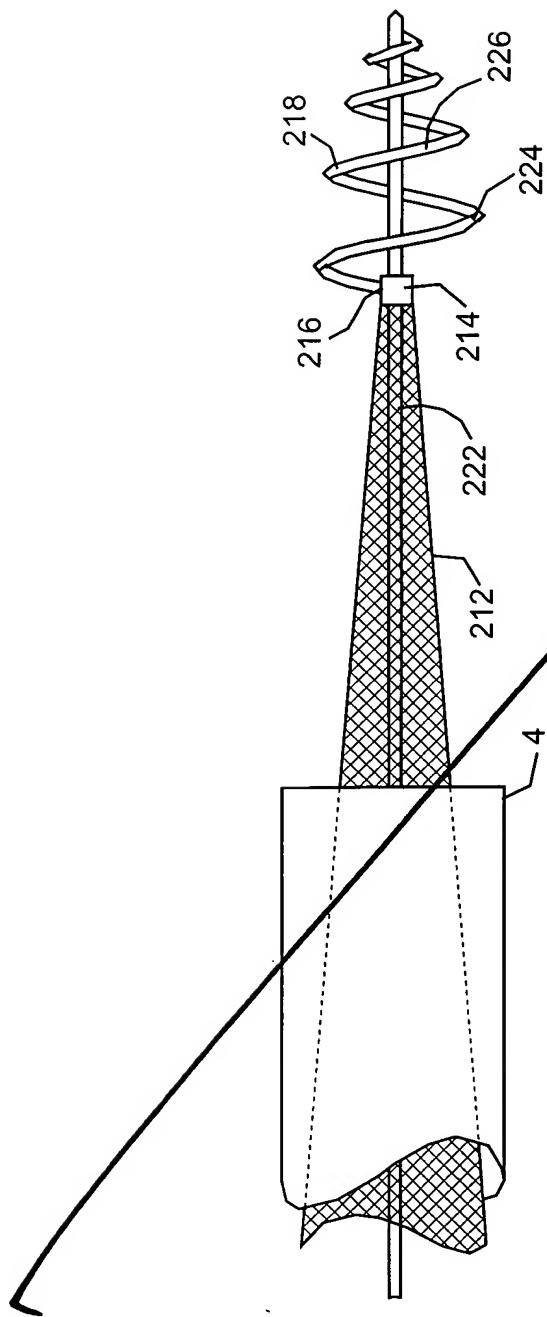
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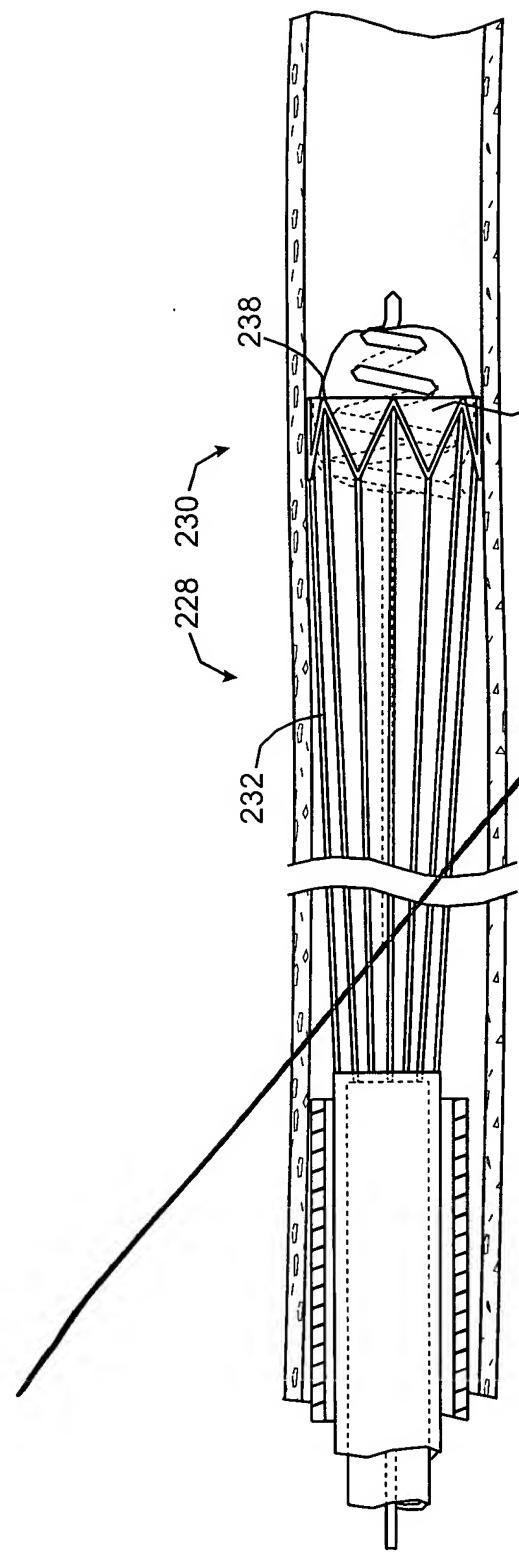


FIG. 41A

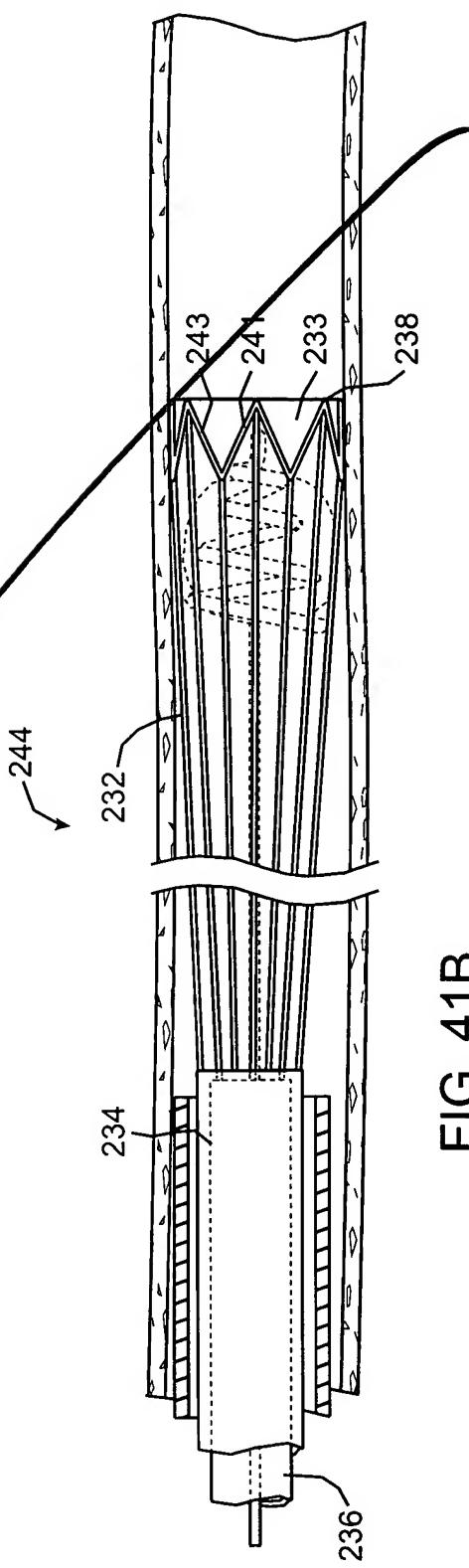


FIG. 41B

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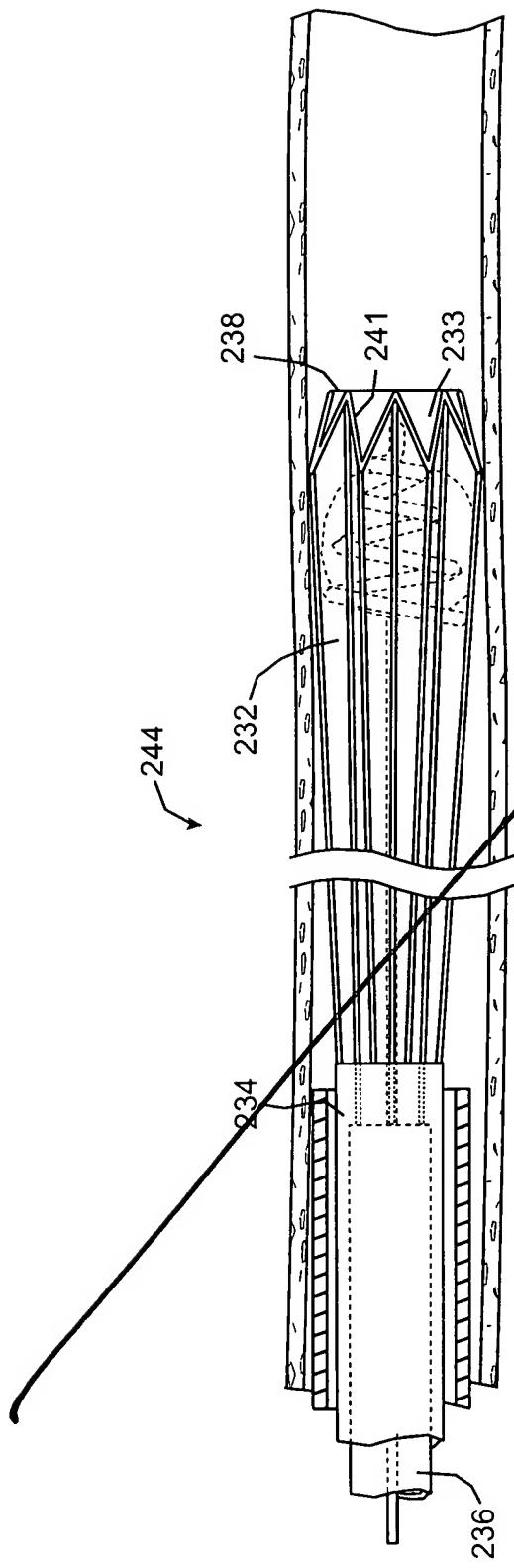


FIG. 42A

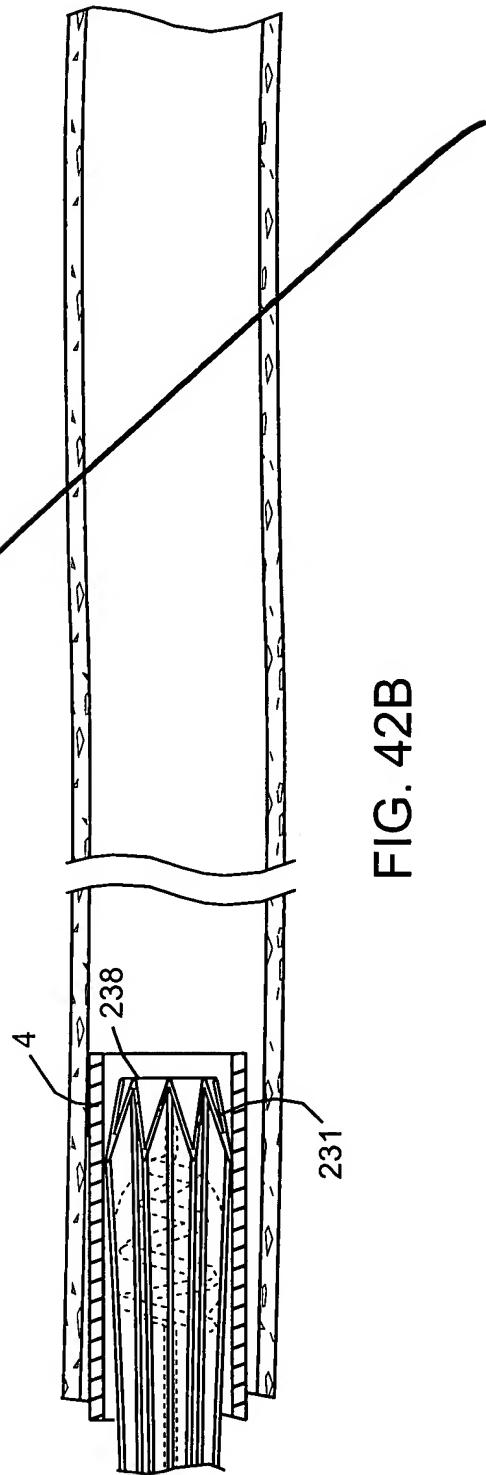


FIG. 42B

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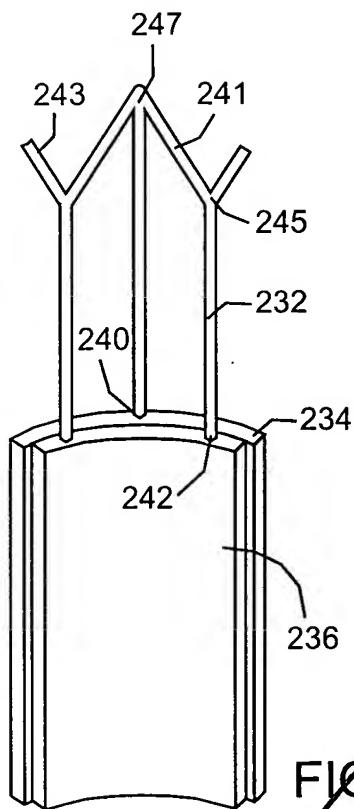


FIG. 43A

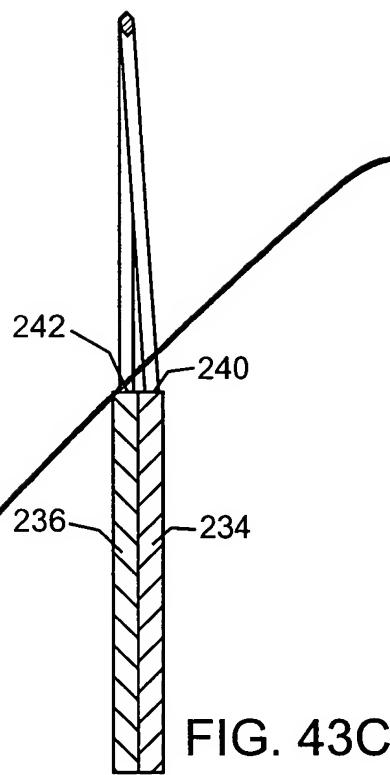


FIG. 43C

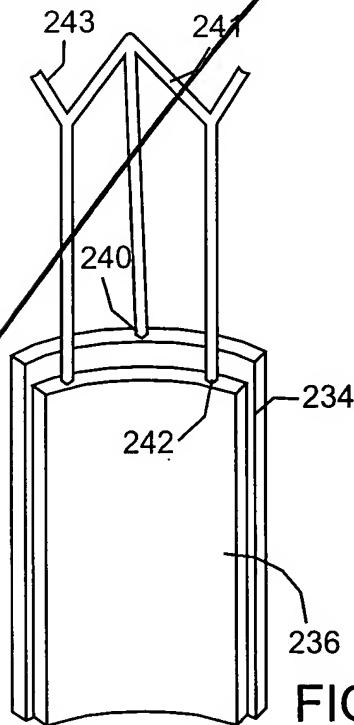


FIG. 43B

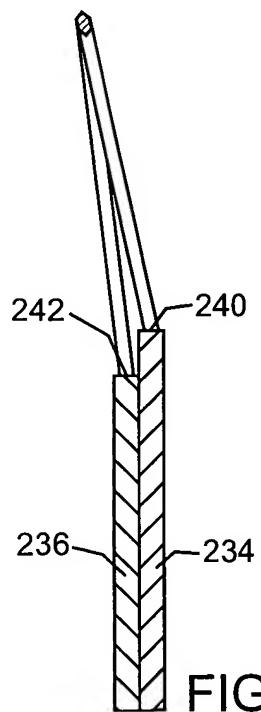


FIG. 43D

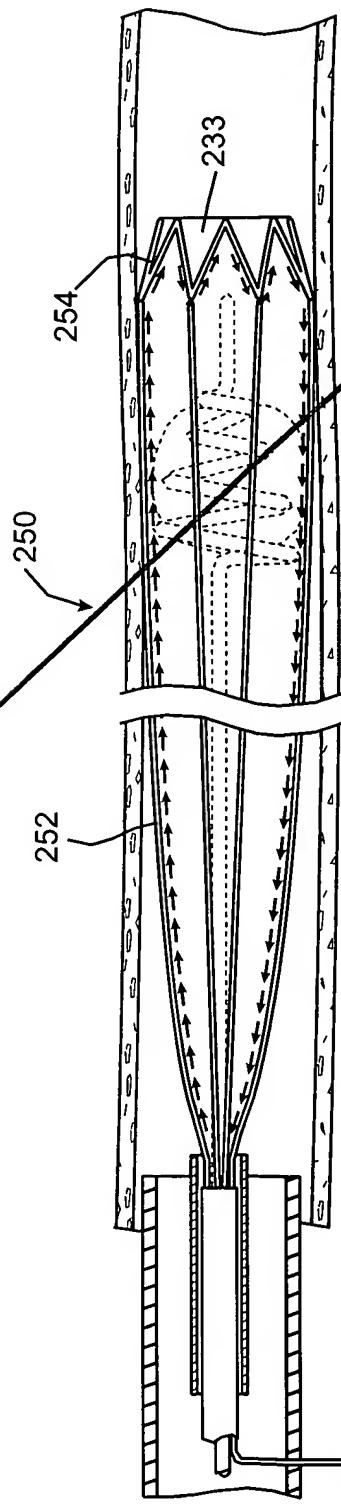
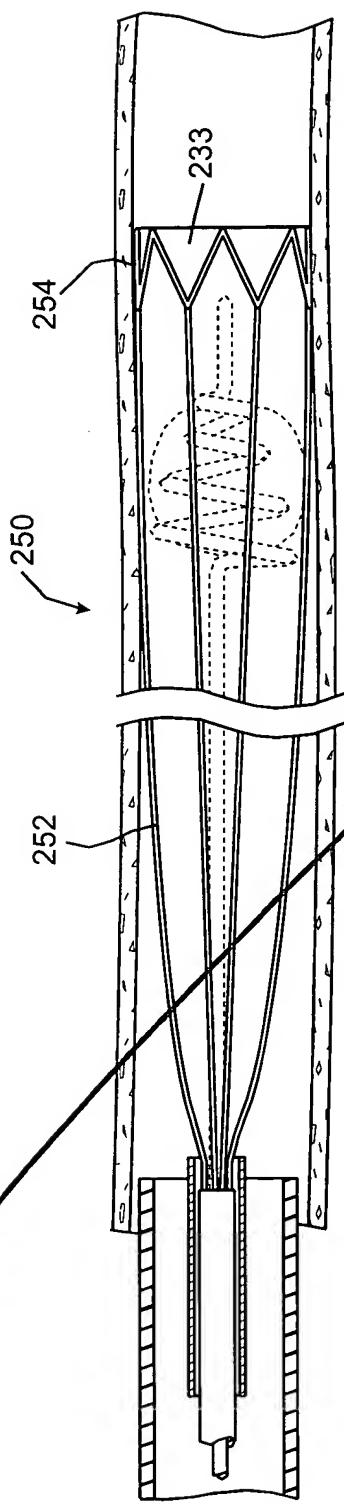
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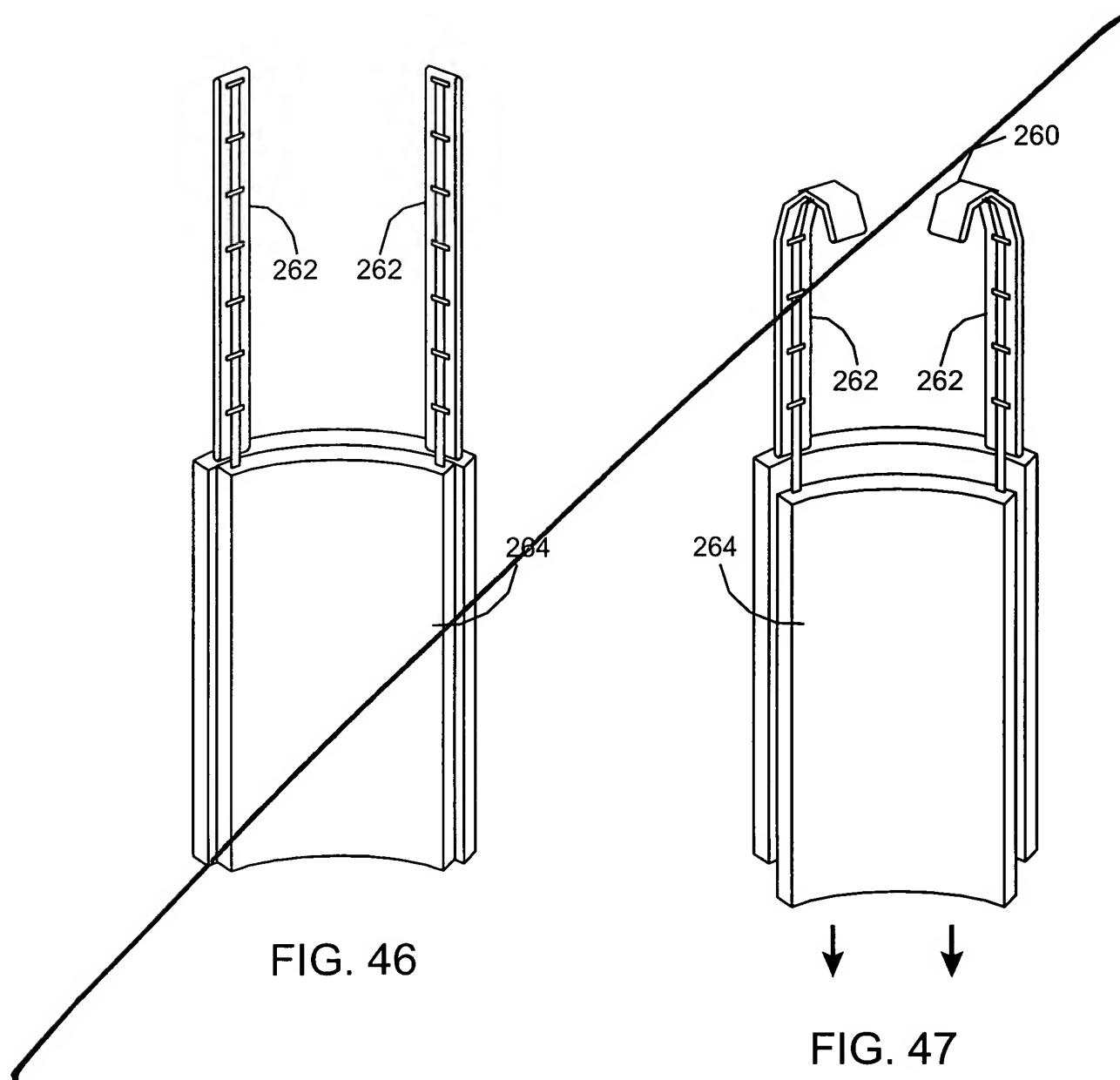
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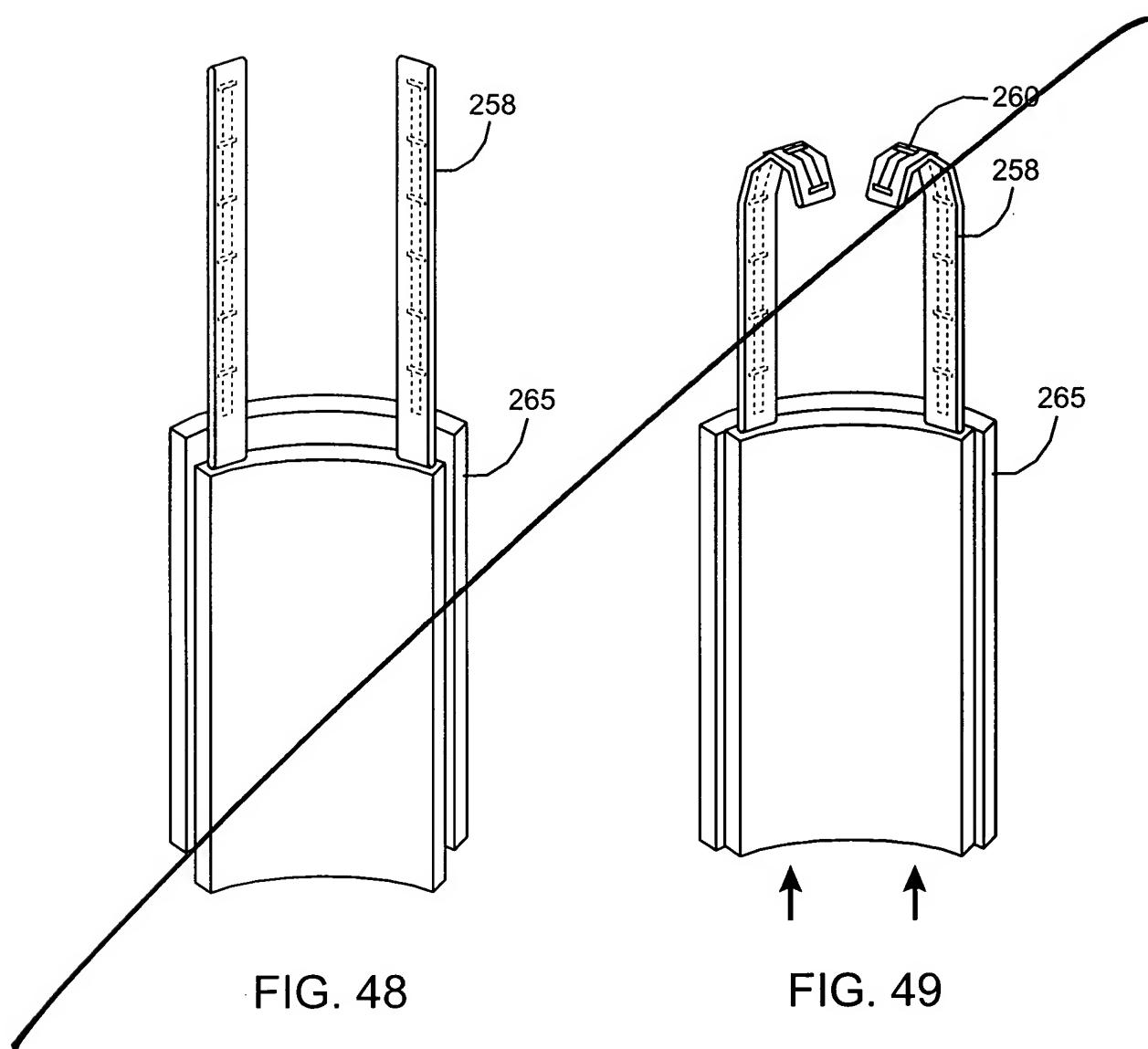


FIG. 48

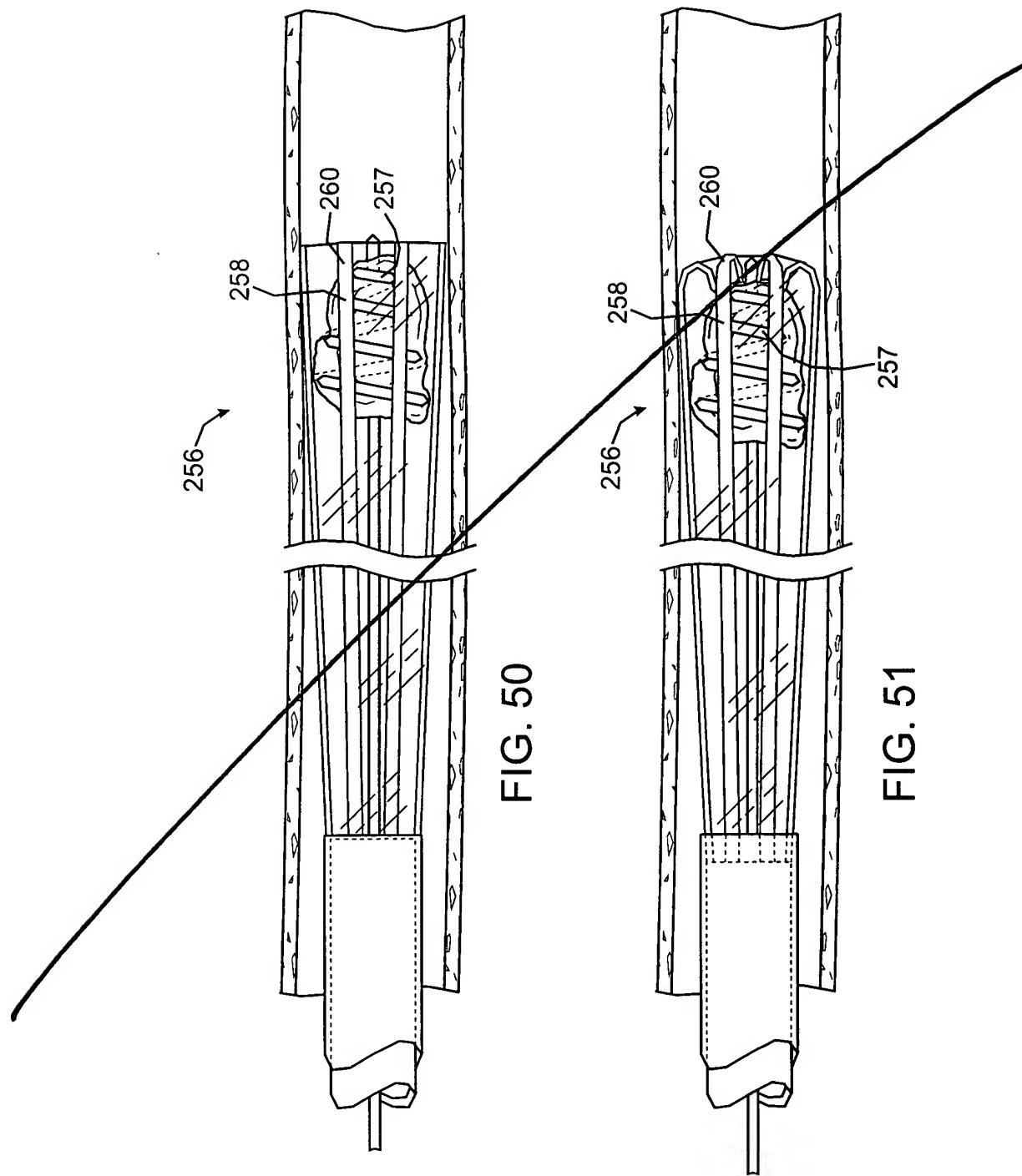
FIG. 49

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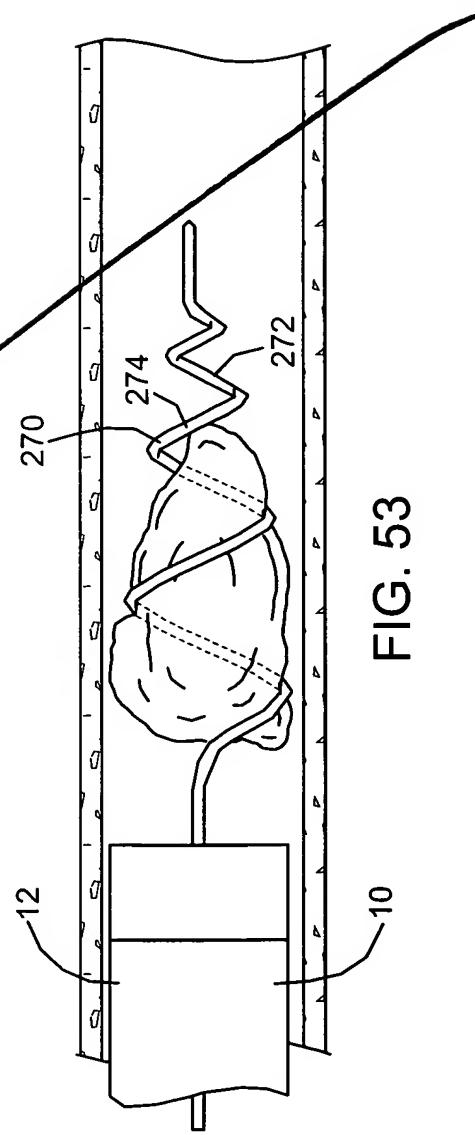
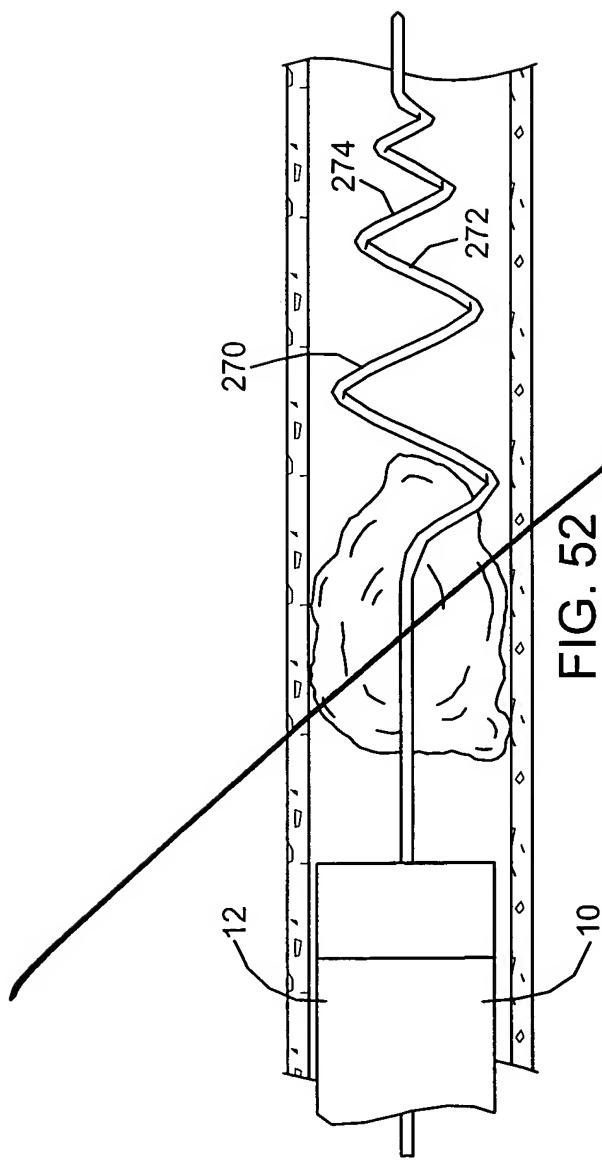
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